

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:19-cv-00084

**Octavia Thomas,**  
*Plaintiff,*

v.

**Longview Police Department Code Team et al.,**  
*Defendants.*

**ORDER**

Plaintiff Octavia Thomas filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging violations of his civil rights by the Longview Police Department Code Team and Officer Bobby Clawson. Doc. 9. The case was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. Doc. 3.

On November 3, 2020, the magistrate judge issued a report recommending that the defendant Officer Clawson's motion for summary judgment (Doc. 33) be granted and that plaintiff's lawsuit be dismissed with prejudice. Doc. 35. The plaintiff received a copy of this report on November 7, 2020, but he has filed no objections. Doc. 36.

When no party objects to a magistrate judge's report, the court reviews its findings for clear error, abuse of discretion, and legal conclusions contrary to law. *See Douglass v. United Servs. Auto. Ass'n.*, 79 F.3d 1415, 1420 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1).

Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court **accepts** its findings and recommendation. *See* Fed. R. Civ. P. 72(b)(3). Officer Clawson's motion for summary judgment is **granted**, and as the magistrate judge explained, Officer Clawson's successful motion for summary judgment inures to the benefit of the Longview Police Department Code Team as well. *See*

Doc. 35 at 11-12. Plaintiff's claims are **dismissed with prejudice**.

*So ordered by the court on January 20, 2021.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge